HOMESTEADER and SQUATTER POLICY

A Discussion Paper

87-00730/

There are hardships that nobody reckons;
There are valleys unpeopled and still;
There's the land- oh, it beckons and beckons,
And I want to go back- and I will.

(Robert Service)

Robert Service recognized the human yearning for land and Yukoners' special affinity for their territory in his The Spell Of The Yukon.

Since he wrote those words the hardships have lessened and the valleys are no longer unpeopled. Our population has grown and our desire for land has become more diversified.

Ways must be found to meet the challenge of developing our land resources in a manner that ensures our regulations are responsible and the procedures for their implementation are as fair as possible to those affected.

This paper is presented for public discussion and comment.

SUMMARY

This discussion paper focuses on the interlinking issues of low cost rural residential (homestead) land and squatting. It is presented for public review and input which will assist in the development of a firm but fair set of policies. The policies developed will be implemented jointly by both the Yukon and Federal Governments to ensure uniform regulations.

HOMESTEADER POLICY

The purpose of the "Homesteader Policy" is to:

- Provide inexpensive rural land for Yukoners at no cost to the general taxpayer; and
- Foster orderly ownership of land without compromising other land use interests.

Those areas that are recommended and then chosen for "homestead" designation will be subject to internal and public review prior to disposition. This process will provide for a systematic release of rural residential/homestead land throughout the Yukon. It will also provide Yukoners with a mechanism to recommend areas to be designated for homesteading.

This program will serve to increase the amount of land in private ownership and will provide the government with a viable alternative to address the problem of squatting.

SQUATTER POLICY

A squatter policy is required which will:

- be based on the principles of sound land use management and planning;
- eliminate future attempts at squatting; and
- eliminate, by removal or legitimization, all existing squatter situations.

To accomplish this the squatter policy will legitimize squatters where appropriate and require squatters to relocate to areas designed for rural residential or homestead where not appropriate.

Basic elements of the policy are explained in detail. These elements include:

- squatter registration;
- consideration of Indian occupants and land claims;
- approval, review and appeal process;
- land sale;
- relocation;
- dealing with squatters who do not participate; and
- role of municipalities.

CONSULTATION

The Department of Community and Transportation Services will coordinate a public review of this Discussion Paper. Copies of this paper will be available through the Department of Community and Transportation Services and the Yukon Government Information Desk. In outlying communities, copies of the Discussion Paper will be distributed through Territorial Agents, local government offices, and Indian bands.

An information line to the Department of Community and Transportation Services (telephone number 667-5936) will be established in order to respond to questions from individuals about the new proposed policies.

Municipalities, groups and individuals are encouraged to provide their written comments regarding these policies. See the last page in this paper for information on how and where to submit your comments.

If requested, public meetings will be held to allow individuals to raise their specific concerns about the paper.

Through such an open, consultative approach, the Department of Community and Transportation Services hopes to solve what has been recognized as one of Yukon's most serious land management issues.

INTRODUCTION

The following definitions apply throughout the paper:

Yukon Land — Crown land administered by the Yukon government;

Federal Land — Crown land administered by the Government of Canada - Minister of Indian & Northern Affairs.

Squatters — Individuals or groups who are occupying, using or trespassing on Yukon or Federal land without authorization where authorization is required.

Homestead land — rural residential land designated under this policy which is generally a significant distance from settled areas with a minimum standard of residential type development.

Approved selected lands — All lands which have been approved for selection by the three parties at the land claims table as at the date of the signing of the respective Agreement in Principle respecting land. The three parties include the Federal Government, Yukon Government and Council for Yukon Indians.

Beneficiary — is an Indian who is eligible under the Yukon Indian land claims settlement.

Sale price — is the purchase price of land based on the fair market value as at date agreement for sale is entered into.

THE NEED FOR A POLICY

Rural land ownership is an important goal for many Yukoners. In response to the numerous applications for rural residential land, the Yukon Government has developed serviced, rural residential subdivisions on the outskirts of municipalities and country residential subdivisions within municipal boundaries. While these developments have satisfied some of the demand, there are still many individuals who want to live in a less structured environment. Others are

simply not prepared to bear the full development costs associated with previously developed rural residential subdivisions.

The Yukon government recognizes rural living as a legitimate land use activity. However, land for rural living has been restricted for several reasons. These include:

- the lack of established land inventories and land use plans;
- the absence of a suitable land base for the Yukon government to establish a legitimate and meaningful rural residential policy; and
- various land withdrawals have removed selected lands from designation for rural residential development pending land claims negotiation.

These impediments continue to restrict the aspirations and ambitions of some Yukoners who wish to own land. In the absence of sufficient rural lots and a homesteader policy, many Yukon citizens have waited years to acquire land through government developed subdivisions. Other individuals have unlawfully occupied Yukon and federal land by squatting.

Discussions are in progress to transfer several tracts of land and a number of site specific land parcels from the Federal to the Yukon Government. The Yukon government will adopt policies to make such land available for rural residential use. These policies must consider the following principles:

PRINCIPLES OF THE POLICY

Homestead land should be suitable from a land use planning perspective and should not infringe on the prior rights of other land user groups.

A fair and firm resolution of the squatting issue should be achieved while protecting the interests of all Yukoners.

The aboriginal rights of Indian people in the Yukon will not be prejudiced by this process.

A HOMESTEADER POLICY

To implement these principles, the Yukon government is promoting a program of area designation, within which site specific rural residential land will be made available. Areas will be identified through an appropriate land use planning process. This is to ensure other resource values (i.e. forestry, fisheries, wildlife, recreation, mining and agriculture) are considered by any proposed rural settlement. Within the identified areas, individuals may apply for specific lands so long as they meet certain criteria.

This proposed program has several benefits:

- land prices will be kept low since it is the individual's responsibility to provide for services, either from his own efforts, or through established cost recoverable programs such as the Rural Electrification Program;
- the value of privately held rural land will be protected by maintaining the principle of market value price combined with a mechanism for earned equity;
- proper construction practices will be encouraged by eliminating the threat of eviction;
- initial development costs incurred by the government will be restricted to site and soil evaluation, construction of minimal standard road access, testing and partial legal survey, including road allowances. These development costs will be included in the sale price of land lots. There shall be no additional financial burden on Yukon taxpayers; and
- finally, the program provides a viable alternative to squatting.

Designated areas will be selected on the recommendation of interested Yukoners and on the basis of residential land suitability. Such a method of public input and assistance will reduce the time spent on the planning process and speed up the review of all suitable lands.

The program may begin with a pilot project.

THE POLICY ELEMENTS

Following is a summary of the basic elements of the Homesteader Policy.

ELIGIBLE APPLICANTS:

- must be a Canadian citizen or landed immigrant;
- must have resided in the Yukon for the last twelve consecutive months;
- must be at least 19 years of age; and
- applicants are only allowed one lot from government in their lifetime under this program. An applicant may, of course, buy other lots in the marketplace.

AVAILABLE LAND AND RELATED SERVICES:

The minimum parcel size would be 2.0 ha (4.94 acres) while the maximum parcel size would be 8.0 ha (19.76 acres). Specific parcel size will be contingent on land availability and suitability.

Areas selected for designation as homestead land will be based on such factors as access, soils, erosion, slumping, flooding, topography, vegetation, appropriate use, conflict with adjacent land uses, health considerations, water supply and waste disposal.

Site selection must be within the designated homesteader areas.

The only service provided will be a very minimum standard of constructed road access to the lot. Additional infrastructure developments (i.e. more fully constructed road access, power, phones, etc.) will be provided by the purchaser's own efforts or under existing user-pay programs at the applicant's expense. Such services as garbage collection, school bus service, snow removal and other community-type services will not be provided by the Yukon government unless such services are already provided under current government policies of the day. Any such conditions may be placed in the Agreement for Sale, title and regulations.

THE APPLICATION PROCESS

Eligible individuals will be required to do the following:

Submit an application, accompanied by a three hundred dollar ($300.00) down payment deposit. The first offering will be sold by lottery. Further offerings will be based on "first come, first served".

Identify the requested area on a map. Then within seventy-two (72) hours, flag or mark the proposed lot and file a plan with the Lands Branch of the Department of Community and Transportation Services, Government of the Yukon.

Once the site plan is approved, and within 90 days of that approval, the applicant must cut a two metre wide clear line of sight centered on the lot line perimeters.

Provide a legal survey within 18 months of the date the site plan was approved.

Within five (5) years of approval date, construct a dwelling, clad to weather, which complies to the Yukon Building Standards Act, Yukon Electrical Protection Act, Public Health Act and other related legislation.

AGREEMENT FOR SALE:

All land parcels will be sold under a ten (10) year Agreement for Sale.

The purchase or sale price of the land parcel shall be based on the market value of the land determined on the date of sale. The applicant will be responsible for paying all development costs. The difference between the development costs and the sale price of the land will be earned by the applicant over a ten year agreement of sale period. For every year the applicant occupies the land, the applicant will earn a one tenth (1/10) equitable interest in the difference between the development cost and the sale price.

Applicants have the option to obtain title at any time by showing compliance with the Agreement for Sale and paying out the unearned portion of the difference between the sale price (market value of the lot) and the development costs. The unearned portion would be based on the number of years the Agreement is in effect.

Costs incurred in the development of the rural residential land shall be proportioned equitably among the parcels of land in the designated area. Development costs that are attributed to the parcel of land will include but are not limited to:

- planning, which includes soil testing and one test well for each designated homestead area;
- engineering
- partial legal survey (i.e. road allowance will be surveyed);
- minimum standard road construction to nearest point on lot perimeter;
- administration fees including advertising; and
- interest and carrying charges only where financing was obtained in the market place.

The applicant must pay on the date of execution of the Agreement for Sale, a deposit towards the prescribed development costs. The deposit shall not be less than 20% of the purchase price. The initial $300.00 deposit may be deducted from this amount.

The unpaid development costs shall be payable in five equal annual installments on or before the first five anniversary dates of the Agreement.

In each of the last five years of the Agreement for Sale, a one hundred dollar ($100.00) administration fee shall be due and payable as set out in the Agreement for Sale.

SUMMARY

It is Yukon government policy to increase the amount of land in private ownership and provide inexpensive rural land to Yukoners - Yukoners who have expressed, over the years, a desire for such inexpensive and remote rural residential land as an alternative to higher cost, fully serviced residential areas. Such land will be made available at minimum cost to purchasers at no cost to the general taxpayer and shall be compatible with other land use objectives. This policy will also provide the government with a viable alternative to addressing the problem of squatting.

A SQUATTER POLICY

Squatting or trespass on public land is a long-tanding occurrence. While estimates vary, a rough estimation places their numbers at four hundred (400) in the Yukon.

While there have been very few convictions, current Yukon legislation provides for fines up to $250.00 and/or imprisonment up to three months for anyone using or occupying Yukon lands without authority. Many Yukoners view the current problem of squatting as being symptomatic of the lack of viable alternatives.

The Homesteader Policy offers an alternative. Individuals will have the opportunity to legitimize their desire to own rural residential land. The Government of the Yukon will resolve the problem of illegal land occupancy.

In addition to the previously described Homesteader Policy a firm yet fair squatter policy is required. Such a policy shall:

- be based on the principles of sound land management and planning;
- eliminate future attempts at squatting; and
- eliminate, by removal or legitimization, all exisiting squatter situations.

GENERAL POLICY STATEMENT

The Squatter Policy objectives are:

To promote the legitimization of squatters where rural residential land use has been identified as an appropriate use of the land from a land use and environmental planning perspective; and

To require squatters to relocate to areas designed for rural residential use when squatters are occupying land that is more suitable for use other than rural residential.

ELEMENTS OF THE PROPOSED SQUATTER POLICY

In order to accomplish the above goals and objectives, the following elements should form the basis of any Yukon squatter policy.

SQUATTER REGISTRATION

The following items represent the process for registration of squatters. Meeting these points of eligibility does not indicate approval. Applicants will have to conform to the approval criteria as noted on page 15 to 18.

The Yukon and Federal governments shall declare a squatter registration date. From this officially announced date, anyone unlawfully occupying Yukon and Federal land will have ninety (90) days to register their occupation. The purpose of the registration is to enable the government to develop a complete inventory of all squatters.

Proof of occupancy in a form suitable to the Federal and Yukon Government will be required at the time of registration and shall include evidence such as Government of Yukon Tax Notices and/or bills of sale for improvements.

To be eligible for consideration for approval:

Squatters must have made a minimum of five thousand dollars ($5,000.00) in fixed, permanent improvements to the property prior to April 30, 1986. In the case of a dispute over the value, the official assessment by the Government of Yukon Assessment Office, Department of Community and Transportation Services will be used.

Squatters must have continuously occupied the land in question before June 30, 1984 or show proof that the improvements have been in place before June 30, 1984.

Squatters must submit a drawing or description of the land in question to the Yukon or Federal Government office within the ninety (90) day limit established above.

Squatters may apply for not more than 2.0 hectares (4.94) acres. Upon approval and the eventual securing of land tenure, individuals may apply for lot enlargement under existing programs of the day.

INDIAN OCCUPANTS/LAND CLAIMS

Beneficiaries who are occupying lands that are not within an approved land selection are encouraged as individuals to make application for review and regularization under the legitimization process of this squatter policy. This may protect or establish their individual interests and may ensure that their interests will be addressed through the Land Claim process.

Beneficiaries will be assisted in the registration process where necessary to ensure their interests are protected under this policy or the Land Claims process.

Beneficiaries who are located within an approved land selection may, as individuals, make application for review and regularization under the legitimization process of this squatter policy. This is to protect their individual interests or continue to have their interests addressed through the land claims process.

This policy will not permit non-Indians to squat on approved selected lands unless they make special arrangements with the local band. If squatters on these lands otherwise qualify under the squatter policy other arrangements will be sought to meet their needs. Such arrangements will include a "best effort" to find land of equal value in an alternate homestead area.

THE APPROVAL PROCESS

At the end of the ninety day registration period each squatter will be considered for legitimization. Every application will be evaluated on the following criteria:

- whether the existing land use would be approved if it were a new application;
- land use factors such as access, soils, erosion, slumping, flooding, topography, vegetation, appropriate use, health considerations and waste disposal;
- compatibility with adjacent land uses;
- previous requests or land applications for the same area in question;
- years of occupancy and investment in the site and such other relevant factors as may be submitted for consideration.

For all squatter situations occurring on Yukon Lands the review will be conducted by a "Regional Review Panel". It's composition should be as follows:

- Two land use officials - one from the Department of Community & Transportation Services and one from the Department of Renewable Resources, Government of Yukon.
- One representative from the Association of Yukon Communities.
- One representative of the local community affected by and/or near the area in question. (This representative would be recommended by the municipality or local authority and appointed by the Minister of Community and Transportation Services).
- One representative from the local band.

For all squatter situations occurring on Federal Lands, the review will be conducted by the Federal/Territorial Land Use Advisory Committee which is made up of various Federal/Territorial Land Officials.

This Review process will be a public one, allowing all interested parties to express themselves. Thirty (30) days prior to review, notice of the application will appear in Yukon newspapers. The property under application must be posted with a sign by the applicant, according to specifications laid out by the Federal or Yukon Government lands office, thirty (30) days prior to review. This posting of a sign at the site under application will serve as additional notice to others that the property is under application.

THE APPEAL PROCESS

Individuals who are unsuccessful in the initial review phase may appeal within thirty (30) days to a Yukon Squatter Appeal Board. The Yukon Squatter Appeal Board will be composed of up to seven members appointed by the Minister of Community & Transportation Services and the Minister of D.I.A.N.D. Nominations will be made by such organizations as the Association of Yukon Communities, Council for Yukon Indians, Wildlife Advisory Board, Yukon Livestock & Agriculture Association, and Yukon Conservation Society.

The decision of the Board will be final on Yukon land. However, on Federal land the Board will advise the Minister of D.I.A.N.D. who will make the final decision.

Where other land users are affected, those involved may present their position to the respective review panel/committee. However, if they wish to appeal a decision at the Yukon Squatter Appeal Board level they must first have registered a request for review at the review level.

Appeals must be registered at the Lands Office within three weeks of the date the Review recommendation is posted.

LAND SALE

Once improvements of a standard acceptable to the Yukon and federal governments have been made, individuals will be offered tenure.

Acceptable improvements include a residential type structure which:

- is "clad to weather";
- conforms to provisions of the Yukon Building Standards Act, Yukon Electrical Protection Act and Public Health Act. Applicants will have up to eighteen months in which they must comply with such standards; and
- is on a legal surveyed piece of land. Legal survey must be completed within 18 months of approval.

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- is on a legal surveyed piece of land. Legal survey must be completed within 18 months of approval.

Anyone meeting the above conditions may:

- exercise the purchase option following payment of the market value purchase price (to be established by the Assessments Branch) plus a pre-selection payment of 10% of the purchase price. Land then goes to title upon completion of a legal survey.
- enter into an Agreement for Sale including the same price scheme as above. The agreement will be five (5) years maximum.

Those squatters who have been legitimized and occupied the land before June 30, 1976, may for every year occupying the land after the Agreement for Sale has been entered into, earn a one tenth share of the market value purchase price. However, such time earned equity cannot exceed one half of the market value purchase price.

RELOCATION

In the event an application is not approved and all appeals have been exhausted, the applicants will be required to relocate.

Where the land is not required for immediate alternative use and continuation of occupancy poses no threat to public safety, a one year agreement may be granted. These agreements may be renewed annually to a maximum of five (5) years. Occupancy permits are non-transferable and will cost five hundred dollars ($500.00) yearly.

After all appeals are exhausted and where the land is required for immediate use, a minimum of thirty (30) days and not more than one hundred and eighty (180) days may be allowed for relocation.

In cases where the individual has occupied the site for at least five (5) years and is elderly or in some way handicapped, such that relocation is likely to pose a threat to health, a "life estate" non-transferable lease may be provided subject to the existing legislation.

All persons who unlawfully enter and use Federal or Yukon Lands and all persons who cannot prove occupancy before the date specified shall be subject to the removal provisions of the existing legislation. Copies of the pertinent legislation for both Yukon and Federal land is attached under Appendix I.

SQUATTERS WHO DO NOT PARTICIPATE IN THE POLICY

Where a squatter does not participate in the legitimization process, his registration/application will be completed and processed in his absence.

Where the application is not approved, the squatter will be dealt with in accordance with the relocation provisions.

Where the application is approved, the following options will be pursued;

- offer of lease;
- offer of agreement for sale; or
- offer of a one year occupancy permit which will require an advance payment.

If none of these offers are acceptable or are not followed through by the squatter, he will be evicted in accordance with the respective legislation.

ROLE OF MUNICIPALITIES

The federal and Yukon governments will seek the active involvement of the Association of Yukon Communities in this policy. Individual communities assistance is required as follows:

- to recommend individuals to represent them on the Regional Review Panel; and
- to ensure that squatters within the municipalities are subject to the terms and conditions of the squatter policy.

Where a squatter within a municipal jurisdiction was recommended for legitimization, and the municipality concurred, the municipality will agree to rezone the land to the appropriate use.

If legitimization was recommended on Yukon land within a municipality and the affected municipality disagreed, the municipality could appeal to the Yukon Squatter Appeal Board whose decision shall be final.

On Yukon Lands within a municipality where that municipality declines to participate, the Yukon Government intends to turn over all information gathered through the registration and technical evaluation phases to the municipality to deal with as they wish. In this case, there shall be no recommendation from the Government of Yukon and no appeal process to the Squatter Appeal Board.

Where a municipal boundary extends over Federal Lands, community concerns will be addressed through the Federal/Territorial Lands Advisory Committee review of the squatter situation. In the event of non concurrence, the municipality may appeal to the Yukon Squatter Appeal Board.

Municipalities may wish to develop bylaws, in accordance with the Municipal Act, wherein more appropriate measures may be applied.

Where necessary, in unincorporated communities, the local community club may be asked to recommend individuals to represent them on the Regional Review Panel.

APPENDIX I

Federal and Territorial Legislation
respecting unauthorized occupation
or use of
Federal/Yukon Land

The following should be noted:

* Every possible action will be taken to discourage squatting now and in the future.
* The Yukon Government is considering legislation that will:
  - prevent utility and phone companies from hook-up of squatter residences to their systems
  - change Yukon legislation to penalize squatters in the same way federal legislation does. That is, a fine of not more than $300.00 or imprisonment for a term not exceeding six (6) months or both (see section 17 of the Federal-Territorial Lands Act).

UNAUTHORIZED USE OF YUKON LANDS

Unauthorized use Yukon Lands

26. (1) Where a person uses or occupies Yukon lands without lawful authority, the Commissioner may serve that person with a notice requiring him

(*a*) to cease forthwith the unauthorized use or occupation; and

(*b*) to restore the lands to a condition satisfactory to the Commissioner or to pay the costs of having the lands so restored.

Service of notice

(2) A notice referred to in subsection (1) may be served by personal service, by registered mail, or, if the identity of the person who is using or occupying the lands is unknown, by posting it in a conspicuous place on the lands. 1972, c. 8, s. 26.

Payment regarding unauthorized use or occupation

27. (1) The Commissioner may require any person who has used or occupied Yukon lands without lawful authority to pay for the unauthorized use or occupation such amount of money as the Commissioner considers just and reasonable in the circumstances. 1972, c. 8, s. 27.

Seizure of articles

28. (1) Any machinery, equipment, materials, goods or chattels found upon Yukon lands that are used or occupied by any person without lawful authority may be seized by the Commissioner.

Disposal of seized articles

(2) Any article seized by the Commissioner pursuant to subsection (1) may be removed from the place where it is found and may be sold, rented or destroyed as the Commissioner deems appropriate. 1972, c. 8, s. 28.

Offence and penalty

29. (1) Every person who fails to comply with a notice served on him pursuant to section 26 requiring him to cease forthwith the unauthorized use or occupation of Yukon lands commits an offence and is liable on summary conviction to a fine not exceeding two hundred fifty dollars or to imprisonment for a term not exceeding three months, or to both fine and imprisonment. 1972, c. 8, s. 29.

GENERAL

Interest

30. (1) Where any contract or agreement for the sale of Yukon lands, is entered into or any lease or other disposition is made and interest is payable under the terms thereof, the rate of interest shall be five percent per annum or such higher rate as is prescribed. 1972, c. 8, s. 30.

Recovery of money

31. (1) All money payable under this Ordinance is payable to the Territorial Treasurer and may be recovered as a debt due to the Commissioner. 1972, c. 8, s. 31.

Right of land

32. (1) Any member or employee of the Government of the Territory may, in the discharge of his duties under this Ordinance, enter upon any Yukon land in the Territory at any reasonable time. 1972, c. 8, s. 32.

Permits

33. (1) Notwithstanding any other provision of this Ordinance, the Commissioner may, in accordance with the regulations, issue quarrying or timber permits. 1972, c. 8, s. 33.

Regulations

34. (1) The Commissioner may make such regulations and prescribe such forms as he deems necessary for carrying out the purposes and provisions of this Ordinance. 1972, c. 8, s. 34.

Federal Lands Act

CHAPTER T-6

An Act respecting Crown lands in the Yukon Territory and the Northwest Territories

SHORT TITLE

Short title

1. This Act may be cited as the *Territorial Lands Act*. R.S., c. 263, s. 1.

TRESPASS ON TERRITORIAL LANDS

Summons to vacate or show cause

16. (1) Where under this Act the right of any person to use, possess or occupy territorial lands has been forfeited or where, in the opinion of the Minister, a person is wrongfully or without lawful authority, using, possessing or occupying territorial lands and he continues to use, possess or occupy or fails to deliver up possession of the lands, an officer of the Department of Indian Affairs and Northern Development authorized by the Minister for that purpose may apply to a judge of the Court for a summons directed to such person calling upon such person

(*a*) to forthwith vacate or abandon and cease using, possessing or occupying such lands; or

(*b*) within thirty days after service of the summons upon him to show cause why an order or warrant should not be made for his removal from the said lands.

Warrant for removal

(2) Where a summons has been served under subsection (1) and within thirty days from the service thereof the person named in the summons has not removed from, vacated or ceased using, possessing or occupying the said lands or has not shown cause why he should do so, a judge of the Court may make an order or warrant for that person's summary removal from the lands.

Persons executing warrant

(3) A warrant made under subsection (2) shall be executed by a sheriff, bailiff, constable or other person to whom it is delivered for that purpose and he has all the powers, rights, immunities and privileges enjoyed by a sheriff, constable or other peace officer in the execution of his duty.

Execution of warrant

(4) A person to whom an order or warrant is addressed shall forthwith remove the person named therein from such lands and all members of his family, employees, servants, labourers, tenants, or other persons employed by or living with such person or his tenants.

Service of summons or warrant

(5) Service of a summons or warrant under this section shall be made by leaving a copy with an adult person found on the said lands and by posting up another copy in a conspicuous place on the lands, or where no adult person is found on the lands, by posting up copies in two conspicuous places thereon. R.S., c. 263, s. 15; 1957, c. 36, s. 2; 1966-67, c. 25, s. 40.

Offence and penalty for trespassing

17. A person who remains on territorial lands or returns thereto or assumes any possession or occupancy thereof after having been ordered to vacate them under section 16 or after having been removed therefrom under that section is guilty of an offence and is liable upon summary conviction to a fine of not more than three hundred dollars or to imprisonment for a term not exceeding six months, or to both. R.S., c. 263, s. 16.

Appeal

18. The order or judgment of a judge of the Court in any action or proceedings under this Act is subject to an appeal by a party to such action or proceedings in the same manner as any other order or judgment of a judge of the Court. 1957, c. 36, s. 3.

FOR MORE INFORMATION ...

If you have questions or need clarification of the information in this paper, call the Information Line at

667-5936

If you live outside Whitehorse, you can call toll free

1-667-5955 (ask for local 5936)

Submissions ...

If you wish to submit written comments, they may be delivered to the Yukon Lands Office on the third floor of the Yukon Government Administration Building, or mailed to:

Lands Branch
Dept. Community & Transportation Services
P.O. Box 2703
Whitehorse, Y.T.
Y1A 2C6

In those instances where squatting is on federal lands, comments may also be sent to:

Director General
Northern Affairs Program
200 Range Road
Whitehorse, Y.T.

Please note ...

DEADLINE FOR SUBMISSIONS IS JUNE 30, 1986.

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